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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,236	03/26/2004	Nagarajan Vedaraman	U 015106-3	9026

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EXAMINER

KHAN, AMINA S

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/811,236	VEDARAMAN ET AL.	
	Examiner	Art Unit	
	Amina Khan	1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language "saline water having a sodium chloride concentration in the range of 11000 to 30000 ppm by not less than 300% w/v" is unclear. The current statement suggests to the examiner that the sodium chloride concentration is both 11000 to 30000 ppm (approximately 1.1 to 3.0%) and not less than 300% also. The claim language "treating soaked skins with alkali metal by not less than 2% w/w in combination with saline water by not more than 200% w/v" is similarly unclear. Appropriate correction of the claim language is required

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. (US Patent 3,254,938).

The prior art of Rodriguez et al. teaches methods for tanning leather comprising treating hides or skins with about 0.25% or greater sodium chloride in water (column 3, lines 61-69; column 4, lines 9-15) and 2% or greater sodium hydroxide (column 3, lines 61-69; column 4, lines 15-20; column 10, line 64) for a period of 2 to 48 hours (column 4, lines 23-24) followed by defleshing (column 4, lines 36-18). The prior art further teaches that the hides and skins treated are animal hides, specifically cowhides, sheepskins and goatskins (column 9, line 43; column 10, line 52). The prior art further teaches a method for producing many varieties of final leathers (column 2, lines 58-59).

The prior art differs from the instant application in that the treatment occurs in two steps rather than three as recited in the instant application. The prior art teaches that a solution of sodium chloride and sodium hydroxide be used to treat the hides or skins for a period of 2 to 48 hours. However, the prior art also teaches that the hides or skins used in this treatment may have been previously salted (column 3, line 63) suggesting an initial salting pretreatment step. It would have been obvious to one of ordinary skill in the art at the time the invention was made to salt the hides in a pretreatment step before treating with both sodium chloride in water and sodium hydroxide.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. (US Patent 3,254,938) in view of Panepinto (US Patent 2,937,068).

The primary reference of Rodriguez et al. is relied upon as set forth above. However, the primary reference does not teach calcium hydroxide or magnesium hydroxide.

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The secondary reference of Panepinto in the analogous art of leather preparation teaches methods of treating cowhides (column 2, lines 29-30) with calcium hydroxide (column 3, lines 19-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the primary reference of Rodriguez by incorporating calcium hydroxide taught in the secondary reference of Panepinto because Rodriguez invites the inclusion of other alkalies, buffers and salts (column 3, line 66) to the treatment compositions with the reasonable expectation of success. The burden is on the applicant to prove otherwise. Furthermore, it is well known procedure in the art to lime, i.e. treat with calcium hydroxide.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amina Khan whose telephone number is (571) 272-5573. The examiner can normally be reached on Monday through Friday, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Amina Khan, PhD
Patent Examiner
October 17, 2005

Margaret Ensmann
primary examiner
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